

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-3 are pending in this application. Claim 1 is independent. The remaining claims depend, directly or indirectly, from claim 1.

Claim Amendments

Claim 1 has been amended in this reply to clarify the present invention. In particular, claim 1 has been amended to correct the antecedent basis of two limitations recited in the claim, as described in more detail below. In addition, minor grammatical amendments have been made in claim 1. No new matter has been added by way of these amendments.

Objections

Claim 1 is objected to because the limitation “the turning axial line” in line 4 of the claim was not previously provided. In addition, claim 1 was objected to because the limitation “one of confronting surfaces” in line 8 of the claim was not previously provided. Claim 1 has been amended in this reply. In particular, claim 1 has been amended to recite “a turning axial line” in line 4 and “said first hinge member and said movable member having confronting surfaces, wherein one of said confronting surfaces” in line 8 of the claim. Thus, withdrawal of the objections of claim 1 is respectfully requested.

Rejections under 35 U.S.C. § 102

Claims 1-3 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,027,294 ("Kato"). This rejection is respectfully traversed.

Applicant notes that claims 1-3 are supported by the present application's foreign priority document JP 2003-200177, a certified copy of which was filed in the International Patent Application No. PCT/JP2004/010289. In order to perfect the claim for priority in this application, a verified translation of the priority document filed on July 23, 2003, is enclosed herewith. Accordingly, Applicant respectfully submits that the present application has a perfected claim to the foreign priority date of July 23, 2003.

Under § 102(e), a reference must have a filing date earlier in time than the effective filing date of the application to constitute prior art. However, an application's claim for priority under § 119(a)-(e) may be used to antedate the reference's filing date. Kato is not prior art under § 102(e) because its filing date, December 5, 2003, is after the present application's foreign priority date, July 23, 2003. Accordingly, Kato has been antedated. Thus, withdrawal of this rejection is respectfully requested.



Application No.: 10/565,566

Docket No.: 12088/042001

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 12088/042001).

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Respectfully submitted,

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Attachments